



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
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JUN 08 2006

Mr. Steve Kelley
Federal Aviation Administration
National Airspace Redesign
c/o Nessa Memberg
12005 Sunrise Valley Drive, MS C3.02
Reston, VA 20191

Dear Mr. Kelley:

The Environmental Protection Agency (EPA) has reviewed the draft environmental impact statement (DEIS) for the New York/New Jersey/Philadelphia (NY/NJ/PHL) Metropolitan Area Airspace Redesign (CEQ # 20050540) which encompasses the entire state of New Jersey and portions of New York, Connecticut, Delaware and Pennsylvania. The Study Area comprises approximately 31,180 square miles and encompasses all or portions of 64 counties, and hundreds of municipalities. This review was conducted in accordance with Section 309 of the Clean Air Act, as amended (42 U.S.C. 7609, PL 91-604 12(a), 84 Stat.1709), and the National Environmental Policy Act (NEPA).

Project and Alternatives:

The stated purpose of the project is to increase the efficiency and reliability of the airspace structure and Air Traffic Control (ATC) system by making modifications to aircraft routes and air traffic control procedures used in the NY/NJ/PHL Metropolitan Region. In addition to the No Action Alternative, the DEIS analyzes three other alternatives: the Modifications to Existing Airspace Alternative, the Ocean Routing Airspace Alternative, and the Integrated Airspace Alternative (with and without an Integrated Control Complex). No preferred alternative was indicated. Based upon our review of the document, we have the following comments.

Comments:

- 1) In Appendix B, the Aviation Activity Forecasts Report, Section 2, a few of the key assumptions need to be updated or clarified. For example, discuss whether the U.S. economy recovered to the extent predicted after 2002, and whether the United States is in the expected "robust recovery." Also, delete the reference to the Concorde as it is no longer flying. It is also our understanding that fuel costs have affected the costs of and demand for airline travel. As such, in the final EIS discuss any resulting changes in impacts that may result from changes in demand estimates and travel forecasts.

- 2) Table 4.1 is mislabeled, and should be "Integrated Airspace Alternative Variation **with ICC.**"
- 3) We have questions related to the comparisons of the Significant Noise Impacted Census Blocks and the Comparison Census Blocks. Please indicate how comparison census blocks were chosen. For example, Table 4.16 indicates that Modification to Airspace Alternative for EWR (Newark) has a population of 768 people. Its comparison Census Block has 144,874 persons. Please explain the selection of a census block with a population that is so much larger than the study block.
- 4) The DEIS found that three of the alternatives would result in disproportionate impacts to minority populations and, therefore, would result in significant environmental justice impact. With this in mind, please describe any steps taken by FAA to assure the meaningful participation of minority and low income communities during hearings on the DEIS.
- 5) The DEIS states that the NY/NJ/PHL Metropolitan Area Airspace Redesign Project, and other airspace projects in the country do not induce growth or increase capacity. While three of the alternatives will increase the efficiency and reliability of the airspace structure and ATC system, EPA also believes that they will increase the capacity of the airspace to accept more aircraft departing from or arriving at metropolitan airports. According to a March 2003 fact sheet on the National Airspace Redesign (NAR) of which the NY/NJ/PHL Airspace Redesign is a part, "The Federal Aviation Administration (FAA) is in the midst of a multiyear effort to redesign the nation's airspace to add capacity and improve the efficiency of air travel by the airlines, general aviation and the military." In addition, the fact sheet states, "One goal of local airspace redesign is to take maximum advantage of the additional capacity offered by new runways coming into service this decade." The DEIS should make it clear that while this redesign does not in itself increase any airport capacity, it does facilitate future airport expansions. The maximum potential capacity increase in the area should be identified.

Furthermore, the cumulative impacts of any planned airport expansion should be discussed in the DEIS. For example, the Philadelphia Airport is well into a Capacity Enhancement Program which will take advantage of increased airspace capacity. Also, according to an April 29, 2006 New York Times report, the FAA has commissioned a study to determine if one of six airports located near New York City could be expanded. That expansion would also take advantage of any increase in airspace capacity. The outcome of these projects will be changed by the presence of a more efficient airspace in the NY/NJ/PHL region.

- 6) Page 4-71 – Third Paragraph. The second sentence should read "See Figure 3.14..." not 3.7.
- 7) All mitigation measures to avoid or minimize significant noise impacts should be included in the Final EIS.

In summary, EPA has rated the draft EIS as EC-2 (see enclosed rating sheet), indicating that we have environmental concerns because of the need for analysis of cumulative impacts to the environment from increasing airspace capacity. Additionally, future NEPA documentation for the project should include updated demand estimates and travel forecasts, information on outreach to environmental justice communities, and discussion of efforts to minimize and mitigate noise impacts.

Thank you for the opportunity to comment. Should you have any questions concerning this letter, please contact Lingard Knutson of my staff at (212) 637-3747.

Sincerely yours,

A handwritten signature in black ink, appearing to read "John Filippelli". The signature is fluid and cursive, with a long horizontal stroke at the beginning.

John Filippelli, Chief
Strategic Planning and Multi-Media Programs Branch

Enclosure